

REMARKS/ARGUMENTS

In the Office Action mailed December 16, 2008, claims 1 – 17 were rejected and claims 18 and 19 were objected to. In response, Applicants have amended claims 1 and 6 and canceled claims 18 and 19. Applicants hereby requests reconsideration of the application in view of the amended claims and the below-provided remarks.

Claim Rejections under 35 U.S.C. 112

Claims 1 and 6 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular, the Office action states “are the ‘test information’ and the ‘data sector-specific test memory areas’ the same features or are they related to each other?”

Claims 1 and 6 have been amended to clarify the relationship between the test information and the data sector-specific test memory areas. In particular, claims 1 and 6 have been amended to particularly point out that “the test information is stored within the data sector-specific test memory areas.” Support for the amendments is found in Applicants’ specification at, for example, paragraph [0033] and Fig. 3. In view of the amendments to claims 1 and 6, Applicants respectfully request that the rejection under 35 U.S.C. 112 be withdrawn.

Allowable Subject Matter

Applicants appreciate the Examiner’s review of and determination that claims 18 and 19 recite allowable subject matter. In particular, the Office Action states that claims 18 and 19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicants have amended claims 1 and 6 as follows.

Claim 1 (1 + 18)

Claim 1 has been amended to incorporate all of the limitations of claim 18. Accordingly, Applicants assert that amended claim 1 is in allowable condition.

Claim 6 (6 + 19)

Claim 6 has been amended to incorporate all of the limitations of claim 19. Accordingly, Applicants assert that amended claim 6 is in allowable condition.

Claim Rejections Under 35 U.S.C. 103

Claims 1 – 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takayuki (JP 05-265866, hereinafter Takayuki) in view of Proidl (U.S. Pat. Pub. No. 2003/0043896) and Furuhashi (U.S. Pat. No. 6,800,894). However, Applicants respectfully submit that the rejection is moot in view of the above-described amendments.

Dependent claims 2 – 5 and 7 – 17

Claims 2 – 5, 12, 14, and 15 are dependent on claim 1 and claims 7 – 11, 13, 16, and 17 are dependent on claim 6. Applicants assert that these claims are allowable at least based on an allowable base claims.

CONCLUSION

Applicant respectfully requests reconsideration of the claims in view of the amended claims, the new claims, and the remarks made herein. A notice of allowance is earnestly solicited.

Respectfully submitted,

/mark a. wilson/

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Mark A. Wilson
Reg. No. 43,994

Wilson & Ham
PMB: 348
2530 Berryessa Road
San Jose, CA 95132
Phone: (925) 249-1300
Fax: (925) 249-0111